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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,661	09/30/2003	Jianxin Wang	66329/31254	5005

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EXAMINER
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HANG, VU B

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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01/14/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@tuckerellis.com  
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<b>Office Action Summary</b>	Application No. 10/674,661	Applicant(s) WANG ET AL.	
	Examiner Vu B. Hang	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/30/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

- This office action is responsive to the communication filed on 10/16/2007.
- The amendments received on 10/16/2007 have been entered and made of record.
- Claims 17-31 have been cancelled.
- Claims 1-16 are pending in the application.

### ***Response to Arguments***

1. Applicant's arguments filed 10/16/2007 have been fully considered but they are not persuasive. The applicant argues that the previously cited prior art fails to teach monitoring a key value associated with a registry upon boot up, wherein a registry change triggers access to an external file inclusive of an offset value. The examiner disagrees for the following reasons. The cite prior art, Sabbaugh et al. (US Patent 6,814,510 B1), discloses monitoring for printer status and configuration changes through device identification, device status, configuration identification and event information (see Fig.4 (454,458), Col.4, Line 31-46 and Col.5, Line 62 – Col.6, Line 4). Sabbaugh further teaches retrieving current printer configuration from the registry on the controller upon detecting a change in printer status or configuration (see Col.3, Line 35-37 and Col.4, Line 44-47); accessing a file external to the registry containing the configuration information and at least one offset representative of a printer attribute (see Fig.4 (454,458) and Col.5, Line 62 – Col.6, Line 15); and updating the device data file (see Col.4, Line 35-47 and Col.6, Line 9-15). The device identification, device status, configuration identification and event information are used as key values to detect for printer status and configuration changes. Upon changes being detected, the printer configuration will automatically be updated. Therefore, in the

examiner's opinion, Sabbaugh teaches monitoring a key value associated with a registry, wherein a registry change triggers access to an external file inclusive of an offset value. Sabbaugh also teaches that monitoring for the key value associated with a registry on a controller could be set at a certain time period (see Fig.6 (520) and Col.6, Line 42-45). It is obvious to monitor for the key value associated with a registry on a controller upon boot up. The motivation would be to ensure the print driver configuration of a printer is updated before operation.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-7, 9-11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sabbaugh et al. (US Patent 6,814,510 B1) and Nuggehalli (US Patent 7,143,150 B1).

4. Regarding **Claims 1 and 9**, Sabbaugh discloses a method for continuously updating a printer driver associated with a printer configuration (see Fig.2, Col.2, Line 47-60 and Col.6, Line 39-45), the steps comprising: monitoring a key value associated with a registry on a controller (see Fig.4 (454,458), Col.4, Line 31-46 and Col.5, Line 62 – Col.6, Line 4); retrieving current printer configuration from the registry on the controller in accordance with an output of the monitoring (see Col.3, Line 35-37 and Col.4, Line 44-47); accessing a file external to the registry containing at least one offset representative of a respective at least one printer attribute

(see Fig.4 (454,458) and Col.5, Line 62 – Col.6, Line 15); updating the a device data file with a data structure containing information about the environment of a printer (see Col.4, Line 35-47 and Col.6, Line 9-15); and communicating the updated device data file to an associated document processing device for use in connection with document processing operation (see Col.3, Line 35-37 and Col.4, Line 44-47). Sabbaugh fails to expressly disclose querying the at least one offset representative; updating a data structure containing information about initialization and environment of a printer and monitoring the key value upon boot up.

5. Sabbaugh, however, teaches accessing print driver configuration data (see Col.4, Line 30-47), detecting for at least one offset representative of a printer attribute (see Col.2, Line 47 – Col.3, Line 12) and using the dynamic link data objects to configure the print driver (see Col.56-65). Sabbaugh further teaches the use of bi-directional monitors for automatically updating a print configuration and avoid manually updating a printer configuration, which is prone to errors (see Col.2, Line 22-27). Sabbaugh also teaches that monitoring for the key value associated with a registry on a controller could be set at a certain time period (see Fig.6 (520) and Col.6, Line 42-45). Nuggehalli discloses accessing the print driver configuration update data containing at least one offset representative of at least one printer attribute (see Col.3, Line 62 – Col.4, Line 2 and Col.5, Line 65 – Col.6, Line 3); querying the at least one offset representative (see Col.6, Line 57-67); and updating a data structure containing information about initialization and environment of a printer (see Col.3, Line 62 – Col.4, Line 2).

6. Sabbaugh and Nuggehalli are combinable because they are from the same field of endeavor, namely print configuration methods. At the time of the invention, it would have been obvious for one skilled in the art to include to Sabbaugh's printer driver updating method the

steps of accessing an external file containing at least one offset representative of at least one printer attribute; querying the at least one offset representative; and updating a data structure containing information about initialization and environment of a printer. The motivation would be to access a configuration file containing the new or updated print options, and updating the print driver with new or updated print options. This print driver update method would enable automatic print driver updating without having to manually reconfigure the print driver when a few print options need to be added. It is further obvious to monitor for the key value associated with a registry on a controller upon boot up. The motivation would be to ensure the print driver configuration of a printer is updated before operation.

7. Regarding **Claims 2 and 10**, Sabbaugh further discloses initializing the controller (see Col.6, Line 5-15).

8. Regarding **Claims 3 and 11**, Sabbaugh further discloses copying the print driver configuration update data containing at least one offset representative to the controller (see Col.4, Line 31-40 and Col.6, Line 5-15).

9. Regarding **Claims 5 and 13**, Sabbaugh and Nuggehalli disclose the method as described in Claim 1 but fail to disclose packing the external file on a portable storage medium.

Nuggehalli, however, teaches loading the print driver configuration data from a portable storage medium (see Fig.1 (16) and Col.3, Line 55-58) and using the configuration data stored on the portable storage medium for controlling the print driver configuration and update process (see Col.9, Line 55-64). At the time of the invention, it would have been obvious for one skilled in the art to package the configuration data on a portable storage medium. The motivation would be to manually to distribute the configuration data to remote computer devices.

10. Regarding **Claims 6-7 and 14-15**, Sabbaugh and Nuggehalli disclose the method as described in Claim 1 but fail to disclose packaging the portable storage medium during a client build or controller build. Sabbaugh, however teaches adding clients and configuring a print driver between the clients and a controller (see Col.4, Line 56 – Col.5, Line 7). Nuggehalli teaches loading the print driver configuration data from a portable storage medium (see Fig.1 (16) and Col.3, Line 55-58) and using the configuration data stored on the portable storage medium for controlling the print driver configuration and update process (see Col.9, Line 55-64). At the time of the invention, it would have been obvious for one skilled in the art to package the configuration data on a portable storage medium during client build or controller build. The motivation would be to store the most recently updated configuration data on the portable storage medium and manually distributing the configuration data to remote computer devices.

11. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sabbaugh et al. (US Patent 6,814,510 B1) and Nuggehalli (US Patent 7,143,150 B1), and in further view of Gonsho (US Pub. 2004/0051743 A1).

12. Regarding **Claims 4 and 12**, Sabbaugh and Nuggehalli disclose the method as described in Claim 1 but fail to disclose using an extensible markup language file as the external file. Sabbaugh, however teaches using a graphical user interface for controlling the updating process for the printer driver (see Fig.5 and Col.6, Line 31-38). Gonsho, teaches using an extensible markup language file for defining and displaying the print configuration data for updating a print driver (see Fig.4, Fig.5 and paragraph [0047-0049]).

13. Sabbaugh, Nuggehalli and Gonsho are combinable because they are from the same field of endeavor, namely print configuration methods. At the time of the invention it would have

been obvious for one skilled in the art to use an extensible markup language file as the external file. The motivation would be to define the configuration data for updating a print driver when transmitting the data to another device, and using the data to display and control the print driver configuration.

14. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sabbaugh et al. (US Patent 6,814,510 B1) and Nuggehalli (US Patent 7,143,150 B1), and in further view of Nishimura (US Pub. 2004/0085563).

15. Regarding **Claims 8 and 16**, Sabbaugh and Nuggehalli disclose the method as described in Claim 1 but fail to disclose updating a private DEVMODE. Nuggehalli, however, teaches updating a data structure containing information about initialization and environment of a printer (see Col.3, Line 62 – Col.4, Line 2). Nishimura teaches the DEVMODE file contains default print driver setting information, including the default print option setting and default configuration data (see Fig.7 and Page 9, paragraph [0122]). Nishimura further teaches updating the DEVMODE file during the print driver configuration or updating process (see Page 9, paragraphs [0122 – 0124]).

16. Sabbaugh, Nuggehalli and Nishimura are combinable because they are from the same field of endeavor, namely print configuration methods. At the time of the invention it would have been obvious for one skilled in the art to update the private DEVMODE during the print driver update process. The motivation would be to set the default print driver setting with the updated print options and configuration data.



*Conclusion*

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu B. Hang whose telephone number is (571) 272-0582. The examiner can normally be reached on Monday-Friday, 9:00am - 6:00pm.


20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vu Hang  
Assistant Examiner



TWYLER LAMB HASKINS  
SUPERVISORY PATENT EXAMINER